

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

NO. 11 CR 00129-01-SM

V.

LIONEL COLE

ASSENTED TO MOTION TO CONTINUE

NOW COMES the accused, LIONEL COLE, by and through counsel, and hereby moves this Court to continue his June 19, 2012, trial for a period of ninety (90) days.

In support of this Motion, the accused states as follows:

1. The accused is scheduled to appear in this Court on June 19, 2012, at 9:30 a.m. for trial.
2. The undersigned counsel has a trial in this Court on said date in the case of United States v. Jose Reyes. The Reyes trial most likely will last at least four days.
3. In addition, the undersigned counsel is scheduled to commence a trial in the Rockingham County Superior Court on June 25, 2012, in State v. Ziolek. The Ziolek trial, which is a felony level DWI, is expected to last two to three days. The undersigned counsel also has a Motion Hearing scheduled on June 29, 2012, in the Hillsborough County Superior Court North on State v. Sullivan. Mr. Sullivan is charged with first degree murder. The undersigned counsel also will be preparing for Mr. Sullivan's trial in the weeks subsequent to the June 29, 2012, hearing date. Mr. Sullivan's trial is scheduled to commence on July 17, 2012, and is expected to last at least three to four weeks. Last, at the end of the Sullivan trial, the undersigned counsel will be on vacation for at least one week in August.
4. That the accused is aware of the within Motion.

5. That the United States Attorney's Office has no objection to the within Motion.

WHEREFORE, the accused respectfully requests that this Court grant the within Motion.

Respectfully submitted,  
Lionel Cole,  
By his Attorney,

/S/Paul J. Garrity  
Paul J. Garrity  
14 Londonderry Road  
Londonderry, NH 03053  
603-434-4106  
Bar No. 905

CERTIFICATE OF SERVICE

I, Paul J. Garrity, herein certify that on this 5<sup>th</sup> day of June, 2012, a copy of the within was e filed to the United States Attorney's Office and mailed, postage prepaid, to Lionel Cole.

/S/ Paul J. Garrity  
Paul J. Garrity